

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

DWAYNE L. DAY,

Plaintiff,

vs.

Civil Action 2:09-CV-642  
Judge Sargus  
Magistrate Judge King

JANICE, et al.,

Defendants.

ORDER

Plaintiff filed this action on June 30, 2009. *Complaint*, Doc. No. 1. Plaintiff was advised that he has 120 days to arrange for service of process on each of the defendants. *Initial Screen of the Complaint*, Doc. No. 8. See F.R. Civ. P. 4(m). More than 120 days has passed since the filing of the *Complaint* and the record suggests that plaintiff has taken no action to effect service of process. It therefore appears that plaintiff has abandoned the litigation.

This action is hereby **DISMISSED**, pursuant to F.R. Civ. P. 4(m).

The Clerk shall **ENTER FINAL JUDGMENT**.

11-4-2009

Date

  
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Edmund A. Sargus, Jr.  
United States District Judge